



Public Roundtable on the Right of Making Available

MONDAY, MAY 5, 2014

Hosted by the U.S. Copyright Office

Rayburn House Office Building, Room 2226, Washington, DC 20515

INTRODUCTION

9:00 AM

Opening Remarks by the U.S. Copyright Office

SESSION 1

9:10 AM – 10:45 AM

Existing Exclusive Rights under Title 17 (Part One)

This session will explore how the exclusive rights in Title 17 cover the making available and communication to the public rights in the context of digital on-demand transmissions such as peer-to-peer networks, streaming services, and music downloads, as well as more broadly in the digital environment. This session will also address evidentiary issues in infringement actions.

John C. Beiter	SESAC, Inc.
Andrew P. Bridges	Attorney
George M. Borkowski	Senior Vice President, Litigation and Legal Affairs, Recording Industry Association of America
Eugene DeAnna	Library of Congress
Professor Jane Ginsburg	Columbia University School of Law
Terry Hart	Director of Legal Policy, Copyright Alliance
Professor Glynn Lunney	Tulane University School of Law
Professor Peter Menell	University of California – Berkeley School of Law
Sam Mosenkis	Vice President, Legal Affairs, American Society of Composers, Authors and Publishers
Matthew Schruers	Vice President of Law & Policy, Computer & Communications Industry Association
Nancy Wolff	PACA: Digital Media Licensing Association

10:45 AM – 11:00 AM

Break



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SESSION 2

11:00 AM – 12:30 PM

Existing Exclusive Rights under Title 17 (Part Two)

Like Session 1, this session will explore how the exclusive rights in Title 17 cover the making available and communication to the public rights in the context of digital on-demand transmissions such as peer-to-peer networks, streaming services, and music downloads, as well as more broadly in the digital environment. This session will also address evidentiary issues in infringement actions.

Jonathan Band	Counsel, Library Copyright Alliance
Joseph J. DiMona	Vice President, Legal Affairs, Broadcast Music, Inc.
Jim Halpert	Internet Commerce Coalition
Lawrence Husick	Delaware County IP Roundtable
Lee Knife	Executive Director, Digital Media Association
Keith Kupferschmid	General Counsel and Senior Vice President, Intellectual Property, Software & Information Industry Association
Patrice A. Lyons	General Counsel, Corporation for National Research Initiatives
Laura Moy	Staff Attorney, Public Knowledge
Jay Rosenthal	General Counsel, National Music Publishers' Association
Ben Sheffner	Vice President, Legal Affairs, Motion Picture Association of America, Inc.
Steven Tepp	Global Intellectual Property Center, U.S. Chamber of Commerce

12:30 PM – 1:45 PM

Lunch Break



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SESSION 3

1:45 PM – 3:15 PM

Benefits of Clarification/Possible Changes to U.S. Law

This session will explore the feasibility and necessity of amending U.S. law to strengthen or clarify U.S. law in this area.

Allan Adler	General Counsel, Association of American Publishers
Sandra Aistars	Chief Executive Officer, Copyright Alliance
Jonathan Band	Counsel, Library Copyright Alliance
Gregory A. Barnes	General Counsel, Digital Media Association
John C. Beiter	SESAC, Inc.
Andrew P. Bridges	Attorney
Mitch Glazier	Senior Executive Vice President, Recording Industry Association of America
Keith Kupferschmid	General Counsel and Senior Vice President, Intellectual Property, Software & Information Industry Association
Patrice A. Lyons	General Counsel, Corporation for National Research Initiatives
Professor Peter Menell	University of California – Berkeley School of Law
Laura Moy	Staff Attorney, Public Knowledge
Nancy Wolff	PACA: Digital Media Licensing Association



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SESSION 4

3:15 PM – 4:15 PM

Foreign Implementation and Interpretation of the WIPO Internet Treaties

This session will explore how foreign laws have interpreted and implemented the relevant provisions of the WIPO Internet Treaties.

Sofia Castillo	Legal Fellow, Copyright Alliance
Joseph J. DiMona	Vice President, Legal Affairs, Broadcast Music, Inc.
Christian Genetski	Senior Vice President & General Counsel, Entertainment Software Association
Professor Jane Ginsburg	Columbia University School of Law
Professor Glynn Lunney	Tulane University School of Law
Jay Rosenthal	General Counsel, National Music Publishers' Association
Matthew Schruers	Vice President of Law & Policy, Computer & Communications Industry Association
Steven Tepp	Global Intellectual Property Center, U.S. Chamber of Commerce

Session 5

4:15 PM – 5:00 PM

Audience Participation

This session will allow the audience to add final comments and views on the issues discussed during the day. Audience members will be able to sign-up throughout the day. Statements will be limited to 2 minutes in order to accommodate a maximum number of participants. Session participants will also be able to sign-up after the public audience members, time permitting.
